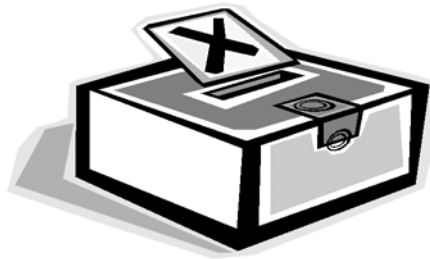


NATIONAL VOTER REGISTRATION ACT-1993

Implementation Guide for Missouri Public Assistance Agencies



ROBIN CARNAHAN
SECRETARY *of* STATE

Elections Division
Kirkpatrick State Information Center
600 W. Main, PO Box 1767
Jefferson City, MO 65102
573.751.2301 or 800.NOW.VOTE [669.8683]

The National Voter Registration Act of 1993

The Act

The intent of the National Voter Registration Act is to increase the number of eligible citizens registered to vote by making opportunities to complete a voter registration application more readily available and to establish safeguards that ensure citizens' right to vote. One provision of the Act is designed to increase the number of Americans registered to vote, by requiring public agencies to provide voter registration opportunities to their clients in conjunction with the other services they provide.

When To Provide Persons An Opportunity To Register To Vote

The Act requires that certain state agencies provide all their clients the opportunity to register to vote at the time of each application for assistance, renewal/recertification of assistance or notification of change of address. The opportunity to register should be offered whether the contact is made in person, by telephone, by mail, by e-mail or during a home visit. Designated agencies are those that serve persons with disabilities or that provide public assistance. Agency staff must provide the same amount of assistance to a person completing a voter registration form as they would provide to fill out the agency's own forms.

This Manual

This booklet has been prepared by the Elections Division of the Secretary of State's office to assist in the implementation of voter registration in state agencies. It is not meant to supersede federal or state laws or rules, nor does it have the force of law. To obtain copies of the National Voter Registration Act or other information about the contents of this reference manual, or to suggest modifications, you may contact:

Secretary of State's Office, Elections Division
600 West Main, PO Box 1767
Jefferson City, Missouri 65102
(573)751.2301 or 1.800.NOW VOTE (669.8683)

To obtain answers to any questions that arise about voter registration, contact your local election authority. Information on your local election authority can be found at www.sos.mo.gov/elections/countyclerks.asp.

Information About Registering to Vote

The information contained in this section is included so that providers may be able to answer general questions about voter registration.

Who May Register?

Qualifications:

Any person who is a citizen of the United States, a resident of Missouri and at least 17 ½ years of age may register to vote.

The qualifications for voters in Missouri are found in Sections 115.133 to.115.135 RSMo.

A Missouri resident may only have one residence for voting purposes.

Individuals who register may vote in any subsequent election that takes place **on or after** their eighth birthday and at least twenty-eight days after they register.

Exceptions:

- No person who is incarcerated or on probation or parole after conviction of a felony is entitled to vote.
- No person convicted of a felony or misdemeanor connected with right of suffrage is entitled to vote.
- No person who is adjudicated incapacitated shall be entitled to register or vote.

When Can a Person Register?

A person may register at any time, but a registration application must be received by the local election authority or NVRA designated agency or postmarked at least twenty-eight days before an election in order to vote in that election. Once registered in a county (or Kansas City or St. Louis City), voters may update (change address, name, etc.) their registrations in that county (or Kansas City or St. Louis City) at any time, even at the polling place on Election Day.

Six elections each year are authorized by Missouri law, not including special elections. Election calendars are available at the Secretary of State's office and on the Web site at www.sos.mo.gov/elections/_default.asp?id=calendar. However, not every jurisdiction will have something to vote on at each election. Local election authorities should notify the agency sites in their jurisdiction of registration deadlines prior to an upcoming election.

How Often Should a Person Fill Out an Application?

A person should fill out a new application anytime information on his/her registration application has changed since that person last registered. This includes change of home address, mailing address or name. If a person is unsure if they are registered, then he/she should fill out a new application.

How Will A Person Know If the Registration Application Was Accepted?

The local election authority will mail an acceptance verification notice to the applicant. If a verification notice is not received within a reasonable time after the voter registration application was submitted, applicants should call their local election authority. If an incomplete application was submitted, the local election authority will request additional information. The application can be rejected if the required information is not supplied.

Voting in Missouri

The information contained in this section is included so that providers may be able to answer general questions about voting procedures.

How Does A Voter Know Where To Vote?

The verification notice will include the location of a new voter's voting precinct and polling location. In some jurisdictions, the polling locations will be advertised in newspapers before the election. Other jurisdictions will mail a notice of election prior to each election. A voter may contact the local election authority to find out where to vote.

Will There be Someone At the Polling Place To Help?

Yes. The poll workers will demonstrate how to mark ballots. If asked, poll workers may help a voter complete their ballots. Voters needing help reading or completing a ballot may also take anyone (excluding the voter's employer or agent of the employer or officer or agent of the voter's union) into the booth with them to help.

What If A Polling Place Is Not Accessible?

The poll judges can bring ballots to people outside the polling place. Persons interested in this may call their local election authority's office to get more information. A voter may vote an absentee ballot at home or may vote at the central location of the local election authority (see below).

What if I Want To Vote By Absentee Ballot?

Registered voters who are unable to go to the polls on Election Day may vote via absentee ballot. Individuals wishing to vote by absentee ballot must make their application in writing, stating the reason they will be prevented from going to the polls on Election Day.

A person may choose to vote by absentee ballot if:

- (1) he/she will be absent on Election Day from the jurisdiction in which such voter is registered to vote;
- (2) he/she is incapacitated or confined due to illness or physical disability, or the voter is primarily responsible for the physical care of a person who is incapacitated or confined due to illness or disability;

-
- (3) he/she has reason based on religious belief or practice;
 - (4) he/she is employed as an election authority, as a member of an election authority or by an election authority at a location other than such voter's polling place;
 - (5) he/she is incarcerated, provided all qualifications for voting are retained.

(Source: Section 115.277 RSMo.)

Agency Voter Registration Procedures

The Agency Voter Registration Form

The agency voter registration form includes a declination form*, a voter registration application**, and information about registering to vote. An agency may place Voter Registration forms in waiting rooms/reception areas, in addition to the forms that are offered by agency staff. It is recommended that blue or black ink be used to fill out the registration and declination forms.

The declination form and voter registration applications must include the following:

“If you are not registered to vote where you live now, would you like to apply to register to vote here today?” [Section 7(a)(6)(B)(ii)];

Boxes for the applicant to check whether he or she chooses to register or to decline to register, followed by the statement: *“If you do not check either box, you will be considered to have decided not to register to vote at this time.”* [Section 7(a)(6)(B)(ii)];

“Applying to register or declining to register to vote will not effect the amount of assistance that you will be provided by this agency.” [Section 7(a)(6)(B)(ii)];

“If you would like help in filling out the voter registration application form, we will help you. The decision to seek or accept help is yours. You may fill out the application in private.” [Section 7(a)(6)(B)(iii)]; and

“If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register, or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with _____,” followed by the name, address and telephone number of the person to whom complaints can be directed [Section 7(a)(6)(B)(iii)].

*A declination is required by federal law. It documents the interaction between an agency and the person completing the form. It must be retained by the agency for 24 months.

**A voter registration application is the portion of the voter registration form that a citizen must fill out and is sent to a local elections office to register to vote.

How To Complete The Declination Form

The client must be asked, and should respond to the question, “If you are not registered to vote where you live now, would you like to register here today?” by checking either “yes” or “no.”

- 1) If a client checks “no,” the client should fill out and sign the declination form. If the client checks “yes,” the client should fill out the voter registration application and sign the application and the declination form. It is important that the client have the same assistance to complete the declination and voter registration application as is given to complete agency forms.
- 2) If a client does not check either box or checks “no” and does not fill out the declination form, it will be assumed the client chooses not to register.

How To Complete The Voter Registration Application

A client who chooses to fill out the voter registration application may do so in private or may request help from the provider. The client may take the form and/or application home to complete or may complete it on-site. However, agency staff should encourage the applicant to complete the application on-site. The agency staff must provide the same degree of assistance as is provided to complete agency forms, unless the client refuses such assistance. Receptionists should be trained to provide assistance to clients who complete voter registration applications in waiting rooms/reception areas.

Registrants must fill in all boxes on the registration card. The agency staff should review the application to ensure that it is **complete and legible**. Once the application is completed, the agency staff should time stamp it and convey the application to the local election authority not later than five days after the application is completed. Each agency is encouraged to establish a procedure for naming an “Agency Coordinator” who is responsible for forwarding completed applications on a specific date to the local election authority.

IMPORTANT! Providers unsure if an application is complete should forward the card per normal procedure to the local election official.

DO NOT DESTROY ANY APPLICATIONS!

The instructions on the following page will help providers answer questions about filling out the application.

MISSOURI VOTER REGISTRATION APPLICATION

Use this application to:

1. Register to vote in federal, state, county and municipal elections in Missouri.
2. Change the name on a current voter registration.
3. Change the address on a current voter registration.

Other information:

1. You must be 18 years of age by the day of a particular election to be eligible to vote in that election.
2. If mailed, this form must be postmarked by the 4th Wednesday preceding an election to be eligible to vote in that election. If delivered in person, it must be received in the office of the election authority by the 4th Wednesday preceding an election. (See reverse for election calendar.)
3. Submitting this application to an individual other than the election authority does not insure timely voter registration.
4. After the election authority receives your voter registration application, you will be sent confirmation within 7 business days. If you do not receive confirmation, contact the election authority.
5. If you wish to serve as an election judge on election day please contact your local election authority and mark the box at the bottom of this form.
6. Optional—If registering by mail for the first time, please submit a copy of one of the following forms of identification: current or valid photo ID, current utility bill, bank statement, government check, paycheck or other government document that shows your name and address, birth certificate, Native American tribal document or other proof of United States citizenship. (You will be required to present identification when you vote.)

Completing this form (All information is required unless indicated as optional): Boxes 1 and 2 -- Citizen and Age Requirements

Federal Law requires voter registration applicants to answer these two questions.

Box 3 -- Type of Application

Check appropriate box if this is a new registration or if you are changing a name or address on your current voter registration.

Box 4 -- Name

Put in this box your full name (Last, First, Middle). DO NOT use nicknames or initials. For name changes, Box 12 should contain your old name.

Box 5 -- Home Address

List your home address. DO NOT put your mailing address if it differs from your home address.

Box 6 -- Mailing Address

If you get your mail at an address other than your home address in Box 5, put that address here in this box.

Box 7 -- Driver's License Number

Required for registration unless you do not have a Driver's License. (§115.158, RSMo.) If you do not have a Driver's License, leave blank.

Box 8 -- Last Four Digits of Social Security Number

Required for registration unless you do not have a Social Security Number. (§115.155, RSMo, §115.158, RSMo.) If you do not have a Social Security Number, leave blank.

Box 9 -- Date of Birth

Place your date of birth in this box (Month, Day, Year). DO NOT USE TODAY'S DATE!

Box 10 -- Place of Birth (Optional)

List your place of birth (city/county/state).

Box 11 -- Daytime Phone Number (Optional)

Please list a number at which the election authority may contact you for clarification of information.

Box 12 -- Last Voter Registration Information

If you are currently registered, please list the name and address of your last registration including county and state.

Box 13 -- Signature

Review the information. If you meet the requirements and all is correct, sign your full name or make your mark and print today's date.

Box 14 -- Rural Voters

If you live in a rural area without a street address, please supply information which may help in placing you in the proper voting district.

YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN SEVEN (7) BUSINESS DAYS OF ITS RECEIPT BY THE ELECTION AUTHORITY. PLEASE CONTACT THE ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION.
(DETACH HERE - KEEP TOP PORTION FOR YOUR RECORDS) This card is not proof of registration.



MISSOURI VOTER REGISTRATION APPLICATION

USE PEN - PLEASE PRINT CLEARLY

PC

| | | | |
|--|--|--|-------------|
| 1 ARE YOU A CITIZEN OF THE UNITED STATES OF AMERICA? <input type="checkbox"/> YES <input type="checkbox"/> NO | | 2 WILL YOU BE 18 YEARS OF AGE ON OR BEFORE ELECTION DAY? <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| If you checked no in response to either of the above questions, do not complete this form. | | | |
| 3 <input type="checkbox"/> NEW REGISTRATION <input type="checkbox"/> ADDRESS CHANGE <input type="checkbox"/> NAME CHANGE | | FOR OFFICE USE ONLY REGISTRATION NO. | |
| 4 LAST NAME | | FIRST NAME | MIDDLE NAME |
| 5 ADDRESS WHERE YOU LIVE (HOUSE NO., STREET, APT. NO. OR RURAL ROUTE AND BOX - NO PO BOXES) | | CITY | COUNTY |
| 6 ADDRESS WHERE YOU GET YOUR MAIL (REQUIRED IF DIFFERENT FROM #5 ABOVE) | | CITY | STATE |
| 7 DRIVER'S LICENSE NUMBER IF YOU DO NOT HAVE A DRIVER'S LICENSE, PLEASE LEAVE BLANK. | | 8 LAST 4 DIGITS OF SOCIAL SECURITY NUMBER* IF YOU DO NOT HAVE A SOCIAL SECURITY NUMBER, PLEASE LEAVE BLANK. | |
| 9 DATE OF BIRTH (MM/DD/YYYY) | | 10 PLACE OF BIRTH (OPTIONAL) | |
| 11 DAYTIME PHONE NO. (OPTIONAL) | | | |
| 12 NAME AND ADDRESS ON LAST VOTER REGISTRATION NAME _____ ADDRESS _____ CITY _____ STATE _____ COUNTY _____ If currently registered in another state or county please complete this box. | | 13 I hereby certify that I am a citizen of the United States and a resident of the state of Missouri. I am at least seventeen and one half years of age. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I swear under penalty of perjury that all statements made on this card are true to the best of my knowledge and belief. I understand that if I register to vote knowing that I am not legally entitled to register, I am committing a class one election offense and may be punished by imprisonment of not more than five years or by a fine of between two thousand five hundred dollars and ten thousand dollars or by both such imprisonment and fine. | |
| 14 RURAL VOTERS: COMPLETE THIS SECTION IF YOU LIVE OUTSIDE THE CITY LIMITS OF ANY CITY. I live _____ miles N S E W (circle one) of _____ (landmark or junction). Section, Township and range _____ My neighbors are _____ | | Date _____ Signature _____ | |
| <input type="checkbox"/> Check here if you are interested in working as an Election Judge | | | |

Warning: Conviction for making a false statement may result in imprisonment for up to five years and/or a fine up to \$10,000.

MO 201-0169 (09-06) *Required for registration pursuant to §115.155 RSMo and §115.158 RSMo will be used only by authorized officials to combat voter fraud and facilitate orderly elections.

STATE OF MISSOURI
VOTER REGISTRATION APPLICATION

Code 02

If you are not registered to vote where you live now, would you like to apply to register to vote here today?

☐ **YES** ☐ **NO** ☐ **NO, already registered at current address**

(If you check "NO", please sign or mark here _____)

If you do not check any box, you will be considered to have decided not to register to vote at this time.

Applying to register or declining to register to vote will **not** affect the amount of assistance you will be provided by this agency. If you would like help in filling out the voter registration application form, we will help you. The decision to seek or accept help is yours. You may fill out the application form in private.

If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding or in applying to register to vote, or your right to choose your own political party or other political preferences, you may file a complaint with the Secretary of State, PO Box 1767, Jefferson City, MO 65102; phone 1-800-669-8683.

| Box # | Instructions for completing Missouri Voter Registration Application |
|-------|--|
| 1 | Citizen —Federal law requires voter registration applicants to answer this question. Check appropriate box. |
| 2 | Age Requirements —Check appropriate box to answer this question. Check the “yes” box if you are currently over 18 years old. |
| 3 | Type of Application —Check appropriate box if this is a new registration or a change of name or address. If the applicant is not a current resident of your county (or Kansas City or St. Louis City), the application should be marked as “new.” |
| 4 | Name —Applicant’s full name (Last, First, Middle). DO NOT use nicknames or initials. For name changes box 12 should contain applicant’s old name. |
| 5 | Home Address —Put your home address. DO NOT put your mailing address if it is different from your home address (street address). |
| 6 | Mailing Address —If you get mail at an address other than your home address. |
| 7 | Last Four Digits of Social Security Number —Required for registration unless no Social Security Number exists for applicant (115.155 and 115.158, RSMo). |
| 8 | Driver’s License Number —Required for registration unless no Driver’s License Number exists for applicant (115.155 and 115.158, RSMo). |
| 9 | Date of Birth —Place your date of birth in this box. DO NOT USE TODAY’S DATE! |
| 10 | Place of Birth (optional) —List your place of birth (city/county/state). |
| 11 | Daytime Phone Number (optional) —List a number at which an election authority may contact you for clarification of information. |
| 12 | Last Voter Registration Information —If you are currently registered, please list the name and address of your last registration and county. |
| 13 | Signature —Review the information and affirmation. If you meet the requirements and all is correct, fill in the date and sign your full name. |
| 14 | Rural Voters —If you live in a rural area without a street address, please supply information which may help in placing your registration with the proper district. |

What To Do With Completed Voter Registration Forms

- 1) **Date Stamp** each completed form. Stamp the form below the postage area on the back side. If a date stamp is unavailable, the date should be written by hand.
- 2) **Keep the declination**, filed by month, in your files for twenty-four months.
- 3) **Send all completed voter registration forms to the proper local election authority within five days of receipt.** The Elections Division recommends that forms be mailed at the end of each workweek, or sooner as registration deadlines approach.

Influencing Persons

Agency employees shall not influence or attempt to influence persons to register or vote in any particular manner. Employees who offer persons an opportunity to register to vote shall not display anything that suggests a political preference or party allegiance.

While offering the opportunity to register to vote, employees shall not wear or display material that:

- identifies past, present or future seekers or holders of partisan elective office;
- contains logos or other graphics that might be identified with a political party or preference; and/or
- would reasonably be understood to be associated with a political party or political preference.

Voter Registration Supplies

Additional voter registration forms may be obtained through normal agency channels or by contacting the secretary of state's office.

Contact Information

Each agency will notify the Elections Division of the secretary of state's office in writing of the name of the agency, the agency coordinator and the location of each agency's registration site(s).

Training

Refresher training will be provided by the secretary of state annually and may be provided to new employees upon request.

Missouri Revised Statutes

Chapter 115 **Election Authorities and Conduct of Elections** *Section 115.162*

August 28, 2005

Secretary of state to provide voter registration applications at certain public offices—duties of voter registration agency—declination of registration.

115.162. 1. A voter registration application shall be provided by the secretary of state in all offices of the state that provide public assistance, all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities, and other offices as directed by the governor. In addition, all armed forces recruitment offices shall be considered a voter registration agency.

2. At each voter registration agency, the following services shall be made available:

(1) Assistance to applicants in completing voter registration application forms, unless the applicant refuses such assistance;

(2) Acceptance of completed voter registration application forms for transmittal to the election authority located in the same county or in any city not within a county, or if there is more than one election authority within the county, to the election authority nearest to the office of the agency. The election authority receiving the application forms shall review the applications and forward any applications pertaining to a different election authority to that election authority;

(3) Voter registration sites shall transmit voter registration application forms to the appropriate election authority not later than five business days after the form is completed by the applicant;

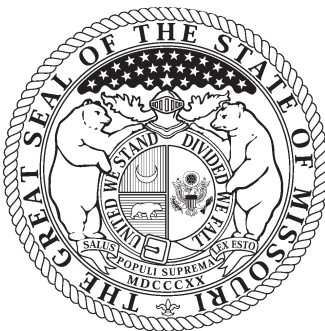
(4) If a voter registration agency provides services to a person with a disability at the person's home, the agency shall provide the services provided in this section at the person's home.

3. An applicant declining to register in any agency shall be noted in a declination section incorporated into the voter registration form used by the agency. No information relating to a declination to register to vote in connection with an application made at a voter registration agency may be used for any purpose other than voter registration.

(L. 1994 H.B. 1411, A.L. 2002 S.B. 675)



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